STATEMENT OF

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WE ACT FOR ENVIRONMENTAL JUSTICE

BEFORE THE HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE ON COMMERCE, TRADE AND CONSUMER PROTECTION

AT A HEARING TO
REVISIT THE TOXIC SUBSTANCES CONTROL ACT OF 1976

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Good morning I want to thank Chairmen Waxman and Rush for the opportunity to present testimony and their leadership. Likewise, my thanks to the other distinguished members of the committee for their time and attention. I also want to thank the committee staff, in particular Dick Frandsen and Robin Appleberry, for their dedication and professionalism.

I am here today to testify about how chemicals have impacted me personally, to talk some about the health disparities in the community that I live and work in and why that makes my community and many like it across the country particularly vulnerable to the harmful effects of toxic chemicals. In addition, I want to share with you what several EJ communities and advocates across the country are currently doing to address the broken chemical policy system that is unable to protect our families from harm. I will close by highlighting that transitioning to safer alternatives to the toxic stew of chemicals currently in commerce is a pathway to creating new green jobs, and I will offer a few recommendations for a better chemical policy framework.

So why is a guy from Harlem, New York before you today to talk about the Toxic Substances Control Act? The answer is simple. Chemicals have impacted my health, the health of my family members and some of my neighbors.

I want to share with two personal stories of how chemicals have directly impacted my life.

My first story is about the shower curtain smell. I am one of the many Americans who experienced headaches triggered as a result of the smell of my shower curtain, which I later learned were the chemicals off gassing. I remember one year when I was still a kid my mom purchased a clear plastic curtain with superheroes imprinted on it and a liner. I was so excited to take a shower with the super heroes. I believed that I would emerge from that shower with super powers. Instead the smell triggered one of the worst headaches I ever had. To this day I can still remember the tears, the pain and that smell. As I grew older, I recognized that the smell was a problem, but prior to being engaged in this work I did not know that there were alternatives. I suffered with debilitating headaches for a long-time thinking that there was something wrong with me instead of the curtain in my bathroom.

My second story is about my son, Nigel. He attends La Salle Academy in New York City. Last year while I was attending a conference in San Francisco, Nigel suffered an asthma attack at a school basketball game. His mom called to let me know that the school officials had rushed him to the hospital. Thank God everything turned out for the best. While Nigel's asthma is not really that bad, that day was a very scary one for him and his mother and I. When I asked my son about what could have brought on the attack he was baffled. He said the day had been a good day and that he was not in anyway really exerting himself. I asked him to replay the moments leading up to the attack in his mind only then did he remember a strong smell of pesticide in the boys locker room that triggered him to sneeze when he first got there. Obviously I cannot say with absolute certainty that the lingering pesticide residue was what caused his attack, but I also know that no can say beyond the shadow of a doubt that it was not the culprit.

I live and work in Harlem, New York and my family has lived in the same neighborhood for about eight decades. The communities that I work in West, Central and East Harlem and Washington Heights covers an area of 7.4 square miles and is home to 650,000 mostly low to mid-income African-Americans and Latinos. Known for its richly diverse population and cultural history, the area also bears disproportionate rates of disease, air pollution and toxic exposures. Northern Manhattan leads the nation in asthma hospitalizations, low birth weight and lead poisoning to name a few. Diabetes and obesity are also raging epidemics in our communities.

There are high rates of public assistance in our neighborhoods and many of the residents that we organize do not have health insurance. Studies conducted by the New York City Planning Department document that many of our neighborhoods have limited to no access to fresh fruits and vegetables. And the availability of access to regular quality medical care is also a significant challenge.

Downtown Manhattan may be known for Broadway, the Empire State Building, the Statute of Liberty and several other iconic landmarks, but uptown our neighborhoods have auto body shops and dry cleaners collocated with residential apartments, diesel bus depots across the street from parks and bedroom windows. Likewise, nail salons and drug stores with many products that contain ingredients capable of disrupting a woman or man's reproductive system abound in Northern Manhattan.

While I am describing my hometown, I could in many ways be talking about places in Michigan, Illinois, Ohio, Georgia, Maryland, Texas, Tennessee, Pennsylvania, Florida or Louisiana. The combination of poor health outcomes and negative socio-economic factors make Harlem and Washington Heights, and the many places like it across this great nation, ill equipped to handle the toxic chemical exposures they face because our chemical regulatory system is broken.

You might conclude that just because the dry-cleaning store, nail salons and auto body shops abound and are co-located with residential buildings in my community doesn't mean that we are exposed to toxic chemicals. You would be wrong. I draw your attention to the following studies and reports.

Despite the fact that New York State is a major agricultural state, a study released by the New York Public Interest Research Group (NYPIRG) a few years ago documented that the highest use of pesticides in the state occurred in New York City. The report noted that schools and other public buildings had a greater number of pounds of pesticides applied than the fields and farms upstate.

New York State Department of Health conducted a study in East Harlem and it found high levels of PERC in the apartments where dry cleaners were co-located. PERC is a volatile organic compound that can move through walls and easily enter the blood stream. In many studies PERC has been found in mothers breast milk.

The Columbia University Mailman School of Public Health Children's Environmental Health Center and my organization, WE ACT for Environmental Justice, collaborate on two community-based research projects looking at mothers and children in Northern Manhattan. In one research project following a cohort of 700 mother child pairs and examining dust samples in the homes of the mothers prenatal exposure to two household pesticides, chlorpyrifos and diazinon, which transfer readily to the fetus, were found to reduce birth weight by an average of 6.6 ounces (Whyatt, et al, *EHP* 2004). Furthermore, high prenatal exposure to pesticide chlorpyrifos was found to be associated with psychomotor and cognitive delay and attentional disorders at age 3 (Rauh et al, *Pediatrics* in press).

Early findings from another research project with the same cohort is indicating that Dibutyl Phthalate, a phthalate commonly found in perfumes is staying in the mothers body longer than first thought and researchers are concerned that the Dibutyl Phthalate may be passed on to the fetus. I want to emphasize that these findings are very early.

Toxic chemicals don't belong in people. Yet all the studies that I have just rehearsed all indicate that these chemicals are present in the bodies of some 700 mothers and children in Northern Manhattan. Chemicals are entering our bodies in our homes and in the places where we work.

While researchers have not yet come up with all the answers to what these exposures mean, advocates in the environmental justice communities have begun to mobilize and are calling on government to fix our broken chemical policy system. Just this pat weekend EJ advocates met in Atlanta, GA with our colleagues in the chemical policy reform movement to join forces.

We see the current regulatory system as flawed and badly in need of reform. Specifically, we are calling for comprehensive and inclusive approach to chemicals policy. All chemicals need to be subject to the same regulatory system.

What would a comprehensive chemical regulatory system look like? It would:

- Require chemical manufacturers to provide data on the chemicals they make and their potential public health impacts before they can get to the market
- Eliminate the most highly hazardous chemicals from the market
- It would work with manufacturers to find safer substitutes for the most hazardous substances
- It would require labeling that communicates effective information to the consumer in a culturally appropriate manner and in multiple languages
- Provide the regulatory agency with the power to protect the health of the public and the environment
- It would employ a hazard rather than exposure-based risk system
- It would work in cooperation with international chemical treaties

We are at a crossroads in the history of our nation. Each of you has before you the opportunity to redesign our chemical policy based on new understanding about the impacts of chemicals in the lives of every American. You have the chance to make sure that there are no more stories of communities like Sunrise, Reveilletown, Morrisonville, Bel Air or Diamond Louisiana, which today no longer exist because of chemical toxic pollution and exposures. You have the opportunity to protect future generations of Americans like my son from lives riddled by contamination. And you have the opportunity to set us on an economic path that will lead to prosperity and health for those working in the chemical industry by propelling us to be the leaders in the development of safer substitutes.

Will you take us to that better America?

Thank you.